Richard E. Leff, Esq. (RL-2123) McGIVNEY & KLUGER, P.C. 80 Broad Street, 23<sup>rd</sup> Floor New York, New York 10004 (212) 509-3456

Attorneys for Defendants: 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES, INC.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 102 (AKH)

PEDRO TAMAYO (AND WIFE, GABRIELLA Index No.: 07-CV-1538 TAMAYO).

NOTICE OF ADOPTION OF ANSWER

Plaintiff(s), TO MASTER COMPLAINT

-against-

**ELECTRONICALLY FILED** 

4101 AUSTIN BLVD CORPORATION, et al.,

Defendant(s).

PLEASE TAKE NOTICE that Defendants, 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES, INC., by their attorneys, McGIVNEY & KLUGER, P.C., as and for their Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their Answer to Master Complaint dated August 2, 2007, which was filed in the matter of In Re World Trade Center Lower Manhattan Disaster Site Litigation, 21 MC 102 (AKH).

WHEREFORE, the defendants, 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES, INC., demand judgment dismissing the above-captioned action as against them,

together with their costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York January 8, 2008

Yours etc.,

McGIVNEY & KLUGER, P.C. Attorneys for Defendants 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES, INC.

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TO: WORBY GRONER & NAPOLI BERN, LLP Plaintiffs Liaison
In Re Lower Manhattan Disaster Site Litigation
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All Defense Counsel